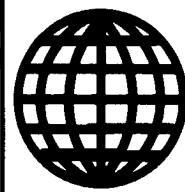


12 March 1993



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Southeast Asia
Vietnam: TAP CHI CONG SAN
No 10, October 1992

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First Session of the Ninth National Assembly

Building a Law-Governed State That Is Really of the People, by the People, and for the People

00000000 Hanoi TAP CHI CONG SAN in Vietnamese No 10, Oct 92 pp 3-8

[Article by Do Muoi; published in FBIS-EAS-92-183, 19 Sep 92 pp 36-41]

Socialism—Theory and Practice

A Number of Problems in Building the New Rural Area

933E0005B Hanoi TAP CHI CONG SAN in Vietnamese No 10, Oct 92 pp 15-20

[Article by Nguyen Ha Phan, secretary of the CPV [Communist Party of Vietnam] Central Committee and head of the Economics Department of the Central Committee]

[Text] Our country's rural areas account for 95 percent of our total area, stretching from the mountain areas to the midlands, lowlands, and coastal areas. Fifty-four fraternal ethnic groups, 80 percent of the population, and 65 percent of the laborers of the country live here. There are 10 million households, with the people engaged in a large number of occupations such as crop growing, animal husbandry, fishing, traditional arts and crafts, and so on. In every historical stage, our countryside has also been the place that has supplied the manpower and materials for liberating the country and building the country. In order to ensure that our country's rural areas advance on the socialist path, the resolution of the Seventh CPV [Communist Party of Vietnam] Congress clearly pointed out that "expanding the rural economy in all respects and building the new rural area is the leading task in order to stabilize the socioeconomic situation.

I. The General Picture of the Economic and Social Situation in the Rural Areas Today

Since the sixth congress and particularly since the Seventh CPV Congress, with the renovation line, our country's economy has scored many important achievements: The material and spiritual lives of the people have clearly improved; the rural economy has switched to a state-managed commodity production with a multifaceted structure based on a market mechanism; many good examples and new factors have appeared and done an effective job; and villages in many rural areas are quite prosperous. Rural social structure has begun to change and make progress. Reality shows that in places where the party organizations and authorities are close to the people, where the strengths of the people are relied on, and where there is self-reliance, poverty is gradually being eliminated, the standard of living is improving, and a civilized way of life is appearing.

But in general, our country's rural areas are still underdeveloped zones. The rural economy is still tied primarily to agriculture, with this involving small-scale production, a single economic pattern, and very low labor productivity. Many rural areas, particularly remote and mountainous areas, are still very poor and backward, and the lives of the people are very difficult. Culture and education have not been improved, and in some places they have even declined seriously. The conflict between developing the economy and solving the social problems left by history has caused commodity production to develop slowly in the rural areas. In a number of places such as suburban areas and heavily populated lowland areas, even though commodity output is low, because market distribution is uncertain and products stagnate, the peasants have to sell their goods at a low price depending on the season. The purchasing power of the rural people is still weak as compared with their needs.

The economic forms in the rural areas have changed. The household economy has turned into independent economic units, creating major changes in agriculture. A number of places have promptly transformed things to have the cooperatives perform services, and both the state-operated units and cooperatives are looking after the peasants rather well. However, the good commercial and service cooperative models have not been duplicated quickly. The renovation of the operating formulas of a number of cooperatives has not satisfied the requirements of life today.

There is presently a serious lack of jobs for laborers in the rural areas. The various occupations, including traditional occupations, have expanded slowly. There are presently 700-800,000 surplus people in the state sector, several tens of thousands of discharged soldiers, hundreds of thousands of laborers who went to engage in cooperative labor abroad and who have now returned, and people who left the country illegally and who have now been repatriated. These people are flocking to the rural areas, which means that urgent attention must be given to creating jobs and satisfying their other needs.

The 2.2 percent average annual rate of growth in the population and the 3.5 percent annual increase in the size of the labor force has caused the size of the fields to drop to an average of only 0.3 hectares per laborer, and in some places the average is just 0.1 hectare.

Although the material lives of the peasants have improved, they still face many difficulties and shortages. Of the 10 million peasant households, only about 15-20 percent are prosperous households; 50-60 percent have enough to live on or have enough to live on temporarily, and 10-20 percent are households that regularly lack sufficient food and that require state assistance every year. In a few places, the average household income is below 1,000 dong per month, and children are seriously undernourished.

The targets of social policy in the rural areas total almost 3.2 million people. The standard of living of most of

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these people is below the average standard of living of the local people. Besides this, there are about 300-500 people who are at risk economically, disabled people, people who lack manpower, and orphans and widows. In many places, the minimum cultural requirements have not been satisfied, children have left school, and illiteracy is increasing. Superstition, drug abuse, and gambling are increasing, which means that measures must quickly be implemented to solve these problems. In some places, family relationships have spawned conflicts within the villages.

Although the situation with respect to political security and social safety and order is better than before, there is still the danger that unstable factors will appear. Land disputes and illegal trading and use of land have been going on in many places for a long time, and there are no suitable solutions. Implementing democracy and social fairness has been disregarded. The gap between rich and poor has not been analyzed or evaluated fully. Today, some elements have grown wealthy illegally.

What is the reason for the above weaknesses?

Small-scale production was widespread in our country, and our country suffered great destruction during the war. Also, natural disasters occur frequently. Thus, in building the country, it will be difficult to eliminate poverty quickly. We must not be impatient, but neither can we allow poverty to drag on, because our country has been an independent and unified country for 17 years now.

Through many congresses, the party has emphasized the important position of agriculture. But to date, in renovating and concretizing the agricultural expansion line, the party has never clearly delineated a synchronized system of viewpoints, policies, and solutions on rural areas, agriculture, and the peasants. In the coming period, the CPV Central Committee will hold a symposium on agriculture and the new rural area aimed at overcoming these problems.

State macrocosmic regulation and management has not kept pace with life in the rural areas, which is due mainly to bureaucratic centralism and remoteness from the masses. Something worth noting is that because of the lack of unified understanding concerning the land laws and land use policies, the peasants do not want to invest their money, engage in intensive cultivation, or reclaim and open up new areas. In some places, there have even been serious land disputes, which have affected order and security and the situation in the villages.

Eliminating state subsidies is a correct policy, but there must also be appropriate measures to handle the legitimate demands of the targets of the social policies. Otherwise, there will be slips and misunderstandings, and the confidence of the masses in the party will decline.

Recently, attention has been given to reorganizing the leadership and activities of the party bases in the rural

areas, but to date, this has not satisfied the requirements of the new life. Many party members have failed to play a vanguard role and set an example in strictly implementing the instruction of President Ho: "If party members take the lead, the villagers will follow."

For a long time, the village administration in many places has not fulfilled its responsibility of being the power organization of the people, by the people, and for the people. Now that we are switching to the new mechanism, although a great effort has been made, things are still confused, and the new requirements and tasks have not been fulfilled.

In some places, the role of the mass organizations is vague, their activities are in a state of confusion, and they have not made good use of the concept of using the people as the root in order to implement the positions and policies.

The policies on training and using rural area cadres are inappropriate, and this has dampened enthusiasm in the movements to build the new rural area.

Based on the above analysis of the problems and causes, we are looking for a model to build the new rural area.

II. A Model for Building the New Rural Area, Targets During the Period 1991-2000

1. The new rural area that we are building is a prosperous rural society that is developed in all respects and that has a varied economic structure in which the various economic elements are all interwoven and in which commodity production constantly expands. The peasants will have land to farm, everyone will have a job, a minimum income will be ensured, the standard of living will constantly improve, and the number of poor households will gradually decline to the point where there are no longer any poor families. Citizens will live in an atmosphere of social fairness, democracy, openness, neighborliness, political security, and social order. Cultural life, public health, and education will constantly develop in line with economic growth. Youths, women, and the elderly will be given the attention that they deserve. The wonderful traditions of our village communities will be exploited, and there will be self-reliance and diligence in building and developing our homeland and life. Electricity will gradually be brought to all the rural areas. They will gradually become more civilized and modern in terms of housing, roads, and the infrastructure while still maintaining an harmonious ecological environment and the national color of our rich Vietnamese countryside.

Building the rural area based on this model is fully in accord with the needs and hopes of our people. Under the leadership of the party, our people, particularly the peasants, will, with their spirit of diligence in work and tradition of patriotism, implement this model well. To do this, the following viewpoints must be unified:

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Developing the economy and building the new rural area is the leading front in the Economic and Social Strategy of the Country From Now to the Year 2000. This viewpoint clearly points out that our country's economic pattern in the coming period will continue to be "agriculture-industry-services."

The new rural area is the integrated result of the process of economic and social development and change. Thus, building the new rural area requires an all-round viewpoint concerning economics, politics, culture, society, security, and national defense. This viewpoint must be revolutionary and profound in nature, but at the same time, it must respect the historical roots of our nation.

Building the new rural area is an integral element of the strategy for the development of the rural areas, agriculture, and peasants, with the center being the legitimate interests of the peasants and laborers and with everything "to make the people prosperous and the country strong." The relationship between the economic development strategies and policies and the strategies and policies for solving the political and social problems must be reconciled in such a way so that the growth of the economy satisfies the need to solve the social problems in the rural areas. In turn, solving the social problems will create a strong motive force that will promote economic development and contribute to the industrialization of the country.

In moving toward a prosperous, civilized, and modern rural area, the expansion of the production forces must be regarded as the real target, with the yardstick being productivity, quality, results, and the stability of the economic and social situation in the rural areas. Based on this, we must launch a patriotic movement and a people's national defense and security movement. There must be national pride and self-respect, an offensive must be waged against poverty and backwardness, and production relationships must be developed in accord with the renovation line of the party. We must always maintain the revolutionary results already achieved and resolutely advance toward a socialist society.

2. Economic and social targets in building the new rural area during the period 1991-2000:

a. To fully free all strengths such as arable land, forests, water sources, production materials, raw materials, sources of capital, professional experiences, labor strength, and so on among the peasant households and economic elements for commercial production. To enable the rural areas to develop further in terms of both breadth and depth and transform them from rural areas that are purely agricultural in nature with self-sufficient production to rural areas that are developed in all respects, that is, agriculture, forestry, fishing, industry, and services. To raise the standard of living, incomes, and purchasing power of the peasants and increase accumulation for the country more and more. To enable the wealthy urban people to invest in the rural areas to the mutual benefit of everyone.

b. To exploit the factors, pre-conditions, and economic environment and shift the rural economy to commodity production. To expand the processing industry, restore and exploit the traditional occupations, and open up new occupations to attract many laborers. To renovate technology, apply the scientific and technical advances, produce varied and high-quality products of a tropical agriculture, satisfy the needs of domestic consumers, and have the strength to compete on world markets.

c. To expand commodity circulation in the rural areas and mountains and build a commercial network in the cities and rural areas in order to handle the worker-peasant alliance well with respect to the economy.

d. To plan and build a rural infrastructure that is in accord with the new economic structure and that is tied to protecting the ecological environment. To attract investment and aid from international organizations and patriotic overseas Vietnamese for the new rural area development plans.

e. To manifest the wonderful traditions of our country's peasants and build a rural society with a higher and higher people's standard of culture and greater and greater democracy and equality that is governed by a system of laws. To encourage people to be diligent and frugal so that they become prosperous in accord with the laws and the policies of the state. To gradually reduce the great gap between the cities and rural areas and between the lowlands and mountain areas. To implement the social policies well and have social fairness. In this, special attention must be given to those who contributed to the revolution. To expand cultural and educational activities, provide primary public health care to the peasants, and eliminate superstition and social evils.

III. Primary Solutions for Building the New Rural Area

1. On the economy: Above all, each village, hamlet, and household must reexamine their labor, arable land, and capital potential and their cooperative production needs in order to arrange the structure and divide the labor rationally.

The programs to stimulate agriculture must be expanded greatly, and the scientific and technical advances must be applied to intensive crop cultivation and animal husbandry. Production, biology, and processing technology and new economic management methods must be renovated and introduced in the rural areas. Emphasis must be given to expanding the area and developing the garden economy.

Every economic element must be exploited and used effectively. In this, the cooperative member household economy holds a primary position, and the collective and state economies play an important role. There must be policies to regulate and guide the household economy and other economic elements so that they expand in the right way. Unless the state and collective economies are renovated, the individual agricultural economy won't be able to develop well. In particular, favorable conditions

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and a favorable economic and social environment must be created to enable the household economy to develop commodities. The commodity production households must be expanded from small to large and from test sites to production households based on a farm model. Expanding the household economy and having a variety of cooperative economic forms is aimed primarily at fundamentally renovating the old agricultural cooperative model and promoting the cooperativization movement in the rural areas.

2. On living conditions and jobs: The immediate and central thing is to resolutely implement the family planning program, create many jobs, and raise the incomes of the people. The basic guideline for creating jobs in the rural areas is to tie free labor to the arable land, production materials, and so on (with real owners). The programs to move and settle the tribesmen and cover the barren ground and denuded hills must be reviewed thoroughly. Transferring land and fields to households for long-term use must be continued.

The state should establish a national job fund and give loans to people at a low rate of interest (to preserve the initial capital). Loans should be given to groups of households. The plans to move people and build economic zones on the spot should be aided. Tax exemptions should be granted for new products, new occupations, and newly-reclaimed land and sea areas. At the same time, emphasis must be given to developing new sectors and rural industries, such as small industries and handicrafts, the processing industry, and services, in order to attract laborers and transform the face of the rural areas.

3. On building the material and technical base and the infrastructure: The center of attention in the coming years will be building the essential projects. To do this, the state must have suitable investment plans from the central echelon to the provinces, districts and villages, with the strength contributed by the people being extremely important.

The immediate thing is to redelineate the rural areas, build a rural area communications and market network in a scientific way in conjunction with expanding the construction of towns, cultural centers, and economic and technical centers, and maintain national defense and security in every situation.

Clean-water projects must be built everywhere based on the plans. This must be done by the people and state working together with the aid of international organizations. Small-scale water conservancy projects must be improved or built, with the people contributing money and manpower or with the state and people coordinating things and working together.

Based on the general plans for the villages and hamlets, houses, cultural centers, broadcasting system, post and telegraph offices, schools, child-care centers, medical aid stations, and sports fields must be built or improved in

accord with the educational, recreational, and medical needs of the people. These must be used efficiently, and they must be built to last.

Areas with an electricity network must organize things to bring electricity to each household. Small hydroelectricity projects must be built for use by each household or groups of households in the mountain areas. Windmills must be built on a small scale in places where it is often very windy.

4. On social policies and the expansion of cultural, educational, public health, and mass communications activities in the rural areas:

Practical attention must be given to the material and spiritual lives of those who contributed to the revolution, and it must be ensured that the material standard of living of the targets of this policy are higher than the average standard of living of the people in the targeted residential areas. For the special targets, the state must have corresponding compensation measures (and not allow this to depend on the capabilities of each locality).

As for the poor people who are at risk in life, in addition to providing social aid, the conditions must be created for providing capital, labor tools, and the necessary technical guidance so that these people can eventually take charge of their own lives. Social welfare funds must be established using money from many sources such as public donations, humanitarian aid, and charitable donations. This aid can be given through the national project to fight poverty or the program to create jobs for the poor and disabled and people in poverty-stricken areas. The form of credit funds for the poor must be expanded in the rural areas.

Each hamlet must actively encourage the peasants, mass organizations, and economic associations to establish insurance funds or retirement funds for the peasants such as in Phu Xuyen District in Ha Tay Province.

Each village and hamlet must have many ways to exploit the wonderful traditions of the villages and emphasize the role of the mass organizations and household heads in educating the children in order to preserve good morals and customs and, at the same time, harshly condemn and eliminate social evils. Educating people about the new cultural family life must be strengthened and wholesome cultural activities must be strengthened in the rural areas. This can include establishing village associations, opening reading clubs, and providing guidance in building an excellent agricultural economy. Mass means of information must be expanded to the hamlets. In the mountain areas and on the islands, the state must provide aid in order to purchase means of information.

General education must be expanded in the rural areas in a practical way. With respect to the Level-I general schools, particularly in the mountains and places where communications are very difficult, classes must be opened near the people, with teachers living near their students. Illiteracy must be eliminated using a variety of

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forms, including opening "mass education classes" and having those who can read and write teach those who can't, which is what we did during the time of the resistance. Eliminating illiteracy must be coordinated with providing general scientific knowledge to the targets of work age, especially to the household heads in the mountain areas. Private schools must be opened. The school fees must be waived for the targets stipulated by the state, and the educational quality of the primary schools in the highland regions must be improved. Unless the people's standard of culture is raised, it will not be possible to have a "prosperous people and strong country."

At-home public health services must be expanded and coordinated with the family planning measures. The training of doctors must be stepped up so that there are enough doctors for each hamlet and village. Plans to fight malnutrition among children in the key areas must be formulated and implemented. The immunization program must be carried out resolutely, and efforts must be concentrated on treating social diseases such as goiter and malaria, particularly in the northern mountainous areas and the Central Highlands.

5. Party base leadership, control by the village authorities, and cadre work must be renovated in the rural areas:

Party leadership at the rural bases must switch to discussion, democracy, openness, and persuasion. The party must avoid issuing orders, acting in a dictatorial or oppressive manner, and engaging in factionalism. Through having the cadres and party members carry out their vanguard role, set an example, do an excellent job, and maintain high morals, mainly by being diligent, frugal, honest, fair, eager to learn, the masses must be launched to participate in building the new rural area. The problems related to the interests of the people must be solved based on the mass line of the party. The party organizations in the rural areas must really lead and not do things in place of the village authorities or economic organizations. The hamlets and villages are the places where the lines and policies of the party and state must be implemented. Thus, the party bases in the rural areas must not only provide general guidelines but also have concrete policies and solutions in order to involve the party's resolutions in daily life. They must control things strictly and have measures to deal promptly with acts that are contrary to the party resolutions.

The primary-level authorities in the rural areas must carry out their management functions well based on the law and strengthen administrative and economic control. Above all, attention must be given to managing the arable land, guiding the delineation of the villages, building up the infrastructure, improving social safety and order, collecting taxes according to the laws, fulfilling military obligations, expanding the village budget, and guiding the activities of the hamlets based on self-control in accord with the laws of the state. On the other hand, in order to ensure that state management in the rural areas is effective, the activities of the hamlets

and hamlet chiefs must be strengthened. Studies must be done and state management regulations must be formed for the hamlets. (To state this in a simpler way: Why does Hamlet A still have poor households? What can be done to reduce the number of poor households each year? By what year will the number of poor households be reduced to zero?) These are the lofty responsibilities of the people's administration.

We must continue to renovate and implement the policy of encouraging cadres to go work in the rural areas, particularly in the mountainous areas and remote areas. At the same time, it must be stressed that training and improving the ranks of cadres and perfecting the positions of the cadres at the village level are essential and very pressing tasks.

President Ho Chi Minh, the Man Who Established the Basic Principles of a Democratic State in Vietnam

00000000 Hanoi TAP CHI CONG SAN in Vietnamese No 10, Oct 92 pp 21-24

[Article by Song Thanh; not translated]

Further Restructuring Our State Apparatus

933E0005B Hanoi TAP CHI CONG SAN in Vietnamese No 10, Oct 92 pp 25-28

[Article by Professor Nguyen Duy Gia, Ph.D., director of the National Administration Institution]

[Text] The key problem in building our country today is to ensure that the laboring people are really the masters of society, that the state manages society using public powers, and that the party leads the political system and all of society and guides the country to socialism. The principles of building a law-governed socialist state are:

1. All state power belongs to the people, with the foundation being the alliance between the working class and the peasants and intellectuals and with this being a country that is led by the Communist Party of Vietnam and that is of the people, by the people, and for the people.

The basic measures for ensuring that state powers belong to the people are:

The people have civil rights regarding matters related to the fate of the nation, the development of the country, and the rights and obligations of citizens.

The people must participate directly in building their administration from the central echelon to the localities, monitor the activities of the various-echelon authorities, and ensure that the various-echelon authorities fully implement the will, wishes, and interests of the people.

The organizations that represent the powers of the people must hit the present targets and carry out the basic tasks of today, which are to solidify and maintain

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peace and concentrate efforts on building a socialist economy. The phrase "all state power belongs to the people" means that all powers entrusted to the state by the people must be in the hands of the various-echelon authorities, whom the people elected to manage the country.

"People" is not an abstract concept. In a society that is moving toward socialism, the composition of the people has its own contents, which are related to the economic structure and the pattern of ownership of the means of production in a multifaceted economy. Our state has a democratic and very broad popular nature and so it is a state of the laboring people and other social strata that exist during the period of transition to socialism. Maintaining the democratic and popular nature of the state requires the leadership of the communist party.

A state that is of the people, by the people, and for the people is a socialist state with democracy for the great majority of laboring people and dictatorship for the few enemies of socialism.

2. State powers are unified and indivisible, but there is a clear division of functions and a division of legislative, administrative, and judicial powers within the unified system of state organizations. This principle means that the state organizations must adhere to two important themes:

State power must be concentrated in a single, supreme organization, the National Assembly. The National Assembly must carry out its functions as the highest state organization more and more effectively. In this, its most important functions are to draft a constitution, promulgate laws, and closely monitor all the activities of the state.

The state must be organized, and there must be a clear division of legislative, administrative, and judicial functions. At the same time, the organizations entrusted with carrying out those functions must be monitored. Those organizations must be tied to each other, cooperate with each other, and monitor each other. It must be ensured that each organization carries out its functions correctly in accord with the law and that the organizations do not abuse their powers or put themselves above the law.

The powers of the legislative, administrative, and judicial organizations do not control, obstruct, or balance each other. Rather, this is a division of labor, and they must coordinate things and work together within the state power system. Even in capitalism, these three organizations are not completely separated from each other but have a unified appearance (as manifested in the contents of bourgeois law) in order to serve the interests of the bourgeoisie.

3. A law-governed socialist state must be built. This is a state that acts in accord with the laws; that places itself beneath the law and that obeys the laws; that stipulates the freedoms, democratic rights, and obligations of the people in the form of laws; that is responsible to the

people; that protects the rights and obligations of citizens; and that implements its management powers with respect to social activities in accord with the law.

Managing society using laws is an achievement in the history of the development of human society and in the history of the development of the state. A socialist state must be a state that does an excellent job of managing society using the laws. Not only each citizen but also the state must obey the laws and follow the will power and hopes of all of society.

4. Management by sector must be coordinated with territorial management in state management organization and activities. The management system must adhere to the principle of democratic centralism when organizing things and carrying on activities. In organizing our state management apparatus, we have been adhering to this principle for a long time. This is a unified administrative system from the central government to the various-echelon people's committees (the organizations with general jurisdiction) and a system of management organizations by sector and sphere that has been organized from the central ministries to the central organizations at the various echelons: services and committees in the provinces and cities and boards and committees in the wards and districts (the organizations with particular jurisdiction).

However, to reform the state apparatus, we must have an even deeper understanding of the principles and organizational patterns discussed above and implement those principles and patterns even more correctly. We must clearly see the unified nature of the state and of the system of state organizations: The organizations with general jurisdiction and the organizations with separate jurisdiction are integral elements of a unified state that have been established in order to implement specific functions and tasks based on the law within the overall system of functions and tasks of the state.

The legal position of the people's councils and the relationship between the various-echelon people's councils and same-echelon people's committees must be understood fully. The powers of the people's councils are limited in terms of scope and locality. At the same time, they must submit to the powers of the highest state power organization and to the guidance and control of the highest state administrative organization. The various-echelon people's committees are both administrative organizations of the people's councils and state administrative organizations in the localities. They are responsible for implementing the constitution and laws, the documents of higher-echelon state organizations, and the resolutions of the people's councils.

5. The role and functions of the state must be carried out correctly in managing society. The state must not engage directly in commercial production or in organizing occupational activities. According to this principle, things must be implemented above all in the executive and administrative spheres, which means that the state

administrative apparatus must be reorganized from the central echelon to the primary level, and its activities must be focused on playing its role as a state legal person and not the role of commercial-producer legal person or entity engaged in occupational activities. "Returning to its proper role" means that the state must do two things: First, it must create the qualifications and forms of a legal person so that the subjects can carry out the above activities (commercial production units and occupational units with the qualifications of a legal person). Second, it must formulate management methods for the above legal-person organizations just as for all the other economic and occupational units operated by private individuals (private enterprises, private schools, private hospitals) within a market mechanism that is managed by the state. Wholesome competition must be maintained, monopolies must be opposed, and growth must be encouraged in line with the new situation.

Based on the above principles, the following primary themes must be implemented in reforming the state apparatus:

1. Of all the problems in organizing the state apparatus, reforming the national administration is one of the most important problems. This is because the activities of the national administration, viewed from various angles, can be called state management activities and administrative or executive activities. This is a rich, complex, and constant operations form that touches all activities of social life and each citizen. This directly touches every management target of the state and requires large numbers of state civil servants. The effectiveness of state management depends above all on the operating capabilities of the national administration.

National administrative activities have a very specialized nature. Those in control must have special expertise and knowledge not only about management and the social aspects of management but also about the targets whom they control. This is clearly manifested in the state financial, currency, credit, public health, and education management spheres. Such activities require that things be organized based on the general principles of organizing a state apparatus. At the same time, the special principles of organizing a state management apparatus must be adhered to. Those principles are applied specifically when forming organizations and management subsystems and assigning duties and responsibilities in the operation of the system. The national administrative apparatus is very large, and it has a very complex structure. Thus, this apparatus must operate in a disciplined manner, and the role of each subsystem and element with respect to the system as a whole must be carried out strictly. This poses many difficult problems that will take time to solve.

2. With respect to the organizational system of the state management apparatus and its operating mechanism, the first thing is to clarify the scope, contents, and operating nature of the state management apparatus. There are many concepts that must be unified, such as

unified and indivisible state power, state control, administrative and executive power, and so on. The existence or lack of the special characteristics of administrative activities will determine the method used to handle the organization of national administration. Characteristics such as independence of (or dependence on) the politics of the national administration, specialization, professional nature, continuity, stability, and so on are issues that control many specific aspects of the organization, operating methods, personnel matters, and work procedures of the state management apparatus.

Examining the system and integral elements of the state management system and national administration involves many new problems such as the administrative and organizational structure of the administrative apparatus at the central echelon and in the localities, administrative regulations and mechanisms, the organization of the civil service apparatus, civil service and civil servants, administrative jurisdiction, and administrative tasks and techniques. At the same time, we must formulate an administrative code suited to the new period.

Going deeply into specific organizations, there are even more problems such as the relationship between the ministries in the government, because the ministries and the provincial and municipal people's committees subordinate to the central echelon, between the services and the ministries, and between the provincial and municipal people's committees subordinate to the central echelon and the ministries and government.

An important and pressing need is to strengthen discipline in state management activities, oppose arbitrariness, dispersion, and disregard for the directives of higher-echelon administrative organizations, and at the same time, fight bureaucratic centralism, individualism, and localism and strengthen control and inspections by the state.

3. Reforming the state administrative apparatus must start from a new viewpoint on the management role, position, and function of the state. Based on that, we must change our viewpoint on the government, the ministries, and the local authorities. Only in this way will we be able to correctly define the management tasks and contents of each type of organization and the relationship between them in the common operation of the state administrative apparatus. In the state apparatus, there is a division of management tasks, not a division of management targets. For each management target, state organizations at this echelon will manage this aspect, and higher- or lower-echelon state organizations will manage other aspects. This shows that the structure of the management organizations must be changed as appropriate along with changing management patterns and contents using the law.

4. The administrative regulations must be strengthened, and national laws must be obeyed strictly. Like laws in general, administrative laws are the precondition for administrative regulations. Without laws, we cannot talk

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about regulations. However, not every law is a precondition for strengthening the regulations. After laws have been promulgated, along with educating people about the law, things must be organized to get people to obey the laws. A compulsory nature must exist within the factors of every model of administrative law and in the effective organization of the compulsory apparatus. Many of our models of administrative law are still in the form of occupational guidance documents and procedures for carrying out various civil service tasks. We have not yet put forward other factors. In particular, we have not yet established a system of punishments for violating the administrative laws or procedures for trying these violations.

Thus, we do not yet have measures for prosecuting the administrative organizations and civil servants who violate the administrative laws. And it is the people who must suffer the consequences. Civil servants and lower-level administrative organizations that make a mistake receive pressure from only one direction, their chief or the higher-echelon administrative organization. Citizens have no rights. Thus, we must create an organization and mechanism to monitor the state administrative organizations to see if they are maintaining administrative discipline. In this, the important thing is to maintain democracy in the lives of the people and contribute to the struggle to fight corruption and purify our state apparatus.

5. Attention must be given to training a rank of regular state administrative civil servants who are knowledgeable about political science, sociology, the political and state systems, the legal system, state management, administrative work, the organization of scientific laborers, and management psychology. In order to satisfy the immediate requirements of reforming national administration, the ranks of civil servants must be standardized based on the civil service rolls and grades, and civil servants must be trained and selected and appointed based on function. Leadership cadres who hold a position in the state administrative apparatus must be trained, too, based on the formula "concentrated, on-the-job, short-term, and specialized" training. At the same time, administrative civil servants must be given regular, long-term training—middle-level standards for administrative employees and post-college training for principal specialists and high-level specialists—so that they become administrative civil servants based on the rolls and grades of the state civil service regulations and so that all of them, from the administrative employees to the high-level state administrative civil servants who work in the state management organizations at the central echelon and in the localities, especially at the provincial and municipal level, have educational standards. Having state administrative civil servants who have undergone regular training and who have adequate qualities, capabilities and creativity is the decisive factor for improving the effectiveness of state management and building a modern and regular state.

Renovating Party Leadership Over the State

*933E0005C Hanoi TAP CHI CONG SAN
in Vietnamese No 10, Oct 92 pp 29-31*

[Article by Nguyen Van Thao, director of the Legal Sciences Institute, Ministry of Justice]

[Text] The resolution of the Third Plenum of the CPV [Communist Party of Vietnam] Central Committee on renovating and reorganizing the party mentions the problem of renovating the party's leadership formula with respect to the state. This article will study those renovation contents starting from the special characteristics of the state in order to pose several ideas on renovating the party's leadership formulas.

The state has passed through many stages, and the political tasks in each period have been different and the specific apparatus in each stage has changed greatly (forms of organization, political institutions, head of state, legal apparatus, executive system, and so on). But the striking thing is that this has remained a political power organization. Marx stressed public power (that is, political power) and viewed that as the special symbol of the state. As for a socialist country, this special characteristic is manifested by the fact that the state is a political power organization of the people. It is the people who established the state and entrusted it with various powers, which in actuality belong to the people. Traditional constitutional principles in our country clearly state that all power belongs to the people. However, in the past, we have given little attention to analyzing popular and social characteristics in organizing the activities of the state. Because of this, it has often been thought that the state is an element that is just like all the other elements in the political system. With the credentials of a power entity of the people, the state has organizational principles, operating forms, models, formulas, and modes of operation that are different from those of the mass organizations and associations and from those of the operations organizations of the party organizations.

The science of state organization also shows that even within the state, organizational methods and the activities of the various elements are not all the same.

Forms of organizing power based on a centralization of powers, a division of powers, or a diffusion of power, a division of labor among the legislative, executive, and judicial elements, and the relationship between the central echelon and the localities are very basic problems of state organization. In the legislative, executive, and judicial elements, each element has different principles, forms, models, and modes of operation based on the role, position, targets, and functions of each element.

The law, with the credentials of a special method of the state, is organically linked to the state. The striking value of the law is that it can create orthodox viewpoints in all of society and become a part of the habits and way of life of the people in society. No other method of the state can

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replace the law even though there are very effective methods, such as educational, mobilization, and organizational methods.

But in stressing this special characteristic, people should not irrationally conclude that the state, with these credentials, can survive and grow independently without needing the leadership of the party. That way of thinking is politically inaccurate.

Without the party's leadership, particularly in our country's historical conditions, the state will lose its way. But if the party's leadership formulas stay the same, the party's leadership strength and leadership role will decline and the state will become a formal system.

Renovating the party's leadership formulas over the state requires, above all, clearly recognizing that the state is a power entity of the people and that it exists and develops in accord with the wishes of the people.

The target in renovating the party's leadership formulas is to put the party's leadership in line with the process of economic and social renovation, satisfy the wishes of the people, and put this in line with the general tendency of the age in order to improve the quality and effectiveness of party leadership in every sphere of life. Renovating the leadership formulas of the party does not mean reducing its role, curtailing its leadership rights, or putting party organizations "in the rear." Rather, this means further elevating the party's leadership role on the legal front.

Leadership formulas are closely related to the structure of the apparatus and arrangement of the personnel and so this must be a part of the process of renovating the political system. Things must be carried on gradually, stability and order must be maintained, and three tendencies must be overcome: no desire to renovate things, formal renovation, and extremist, impatient renovation.

The striking formula of party leadership over the state in conditions in which the party leads the regime is that the party organizations and party members must go through the state, "become" the state, and use the formulas of the state to lead society. This special characteristic means that the party members who have been assigned to different state organizations must become experts in the special sphere to which they have been assigned. The party's leadership formulas must be in accord with the organizational characteristics of each element in the state apparatus. The party's leadership over the National Assembly is different from its leadership over the government. Its leadership over the courts is different from its leadership over the National Assembly and government. Its leadership over the military is different from its leadership over the economy, its leadership over the state enterprises is different from its leadership over the state organizations, and its leadership over the local echelons is different from its leadership over the primary level.

In a multifaceted commodity economy, the party leads the most important aspects through the state. It leads other aspects through the mass organizations of the most important forces (such as the fatherland front, the trade union, the youth union, the women's association, the peasants' association, the organizations of the intellectuals, the organizations of the owners of the private enterprises and businessmen, veterans' organizations, the organizations of retired people, and so on).

Using many forms of organization and suitable measures, the party leads, and through the above forces, implements social agreements, reduces the conflicts over powers, reduces the conflicts between the strata and between the people and the state, enables the state to manage things more effectively, and promotes democracy, fairness, and equality in a market economy.

Leadership over the forces in society must be examined very carefully, and the injustices, gaps, and conflicts in society must be seen clearly in order to provide leadership to reduce the strains and create stable conditions for moving society forward.

Based on the above viewpoints, the contents of the party leadership formulas over the state must be concretized in accord with each type of organization.

1. The National Assembly is an organization that is directly elected by the people. It holds the highest power position and operates based on a collective system and majority vote. The party's leadership over the National Assembly must be based on these special characteristics. Party members who have good political standards must be selected. They must work full time for the National Assembly and act in accord with the party's resolutions in carrying out the activities of delegates and voting on issues before the National Assembly.

With its leadership qualifications, the party must present its ideas to the National Assembly on important national policy issues for discussion and a vote by the National Assembly. In carrying on constitutional and legislative activities, party members in state leadership positions must ensure that the institutions are in accord with the lines and policies of the party. In the supreme supervisory activities of the National Assembly, adequate state mechanisms must gradually be established to monitor the activities of the head of state, premier, ministers, and supreme court justices and to inspect the constitutionality of the laws and regulatory documents of the government in order to strengthen state control through the law.

2. The government is the organization that executes the laws. It is the highest executive organization of the state and is responsible for the over-all management of the various spheres of life (the economic, political, security and national defense, foreign affairs, cultural, educational, public health, social, and judicial, the standard of living, population, and so on). Renovating the party's leadership formulas with respect to the government

means enabling the national administration to operate in a continuous, unified, centralized, and highly effective manner based on the law.

In the administration, with the exception of the premier, vice premier, and ministers, who are all political cadres, the rest are all professional civil servants who have undergone many years of training and who carry out their duties in accord with the regulations and orders of the administration. This is different from the National Assembly, which is an elected body whose members serve limited terms.

At the central echelon, the party leads through the party affairs committee. Party members hold the positions of premier, vice premier, and ministers in order to lead the government and ministries.

In the localities, the party committee members in charge of the various spheres must be people who head the local organizations in that sphere, except for a small number who are engaged full time in party work. The problem is: those who head the specialized organizations in the localities must be high-level civil servants who have been systematically trained in national administration.

3. The courts are trial organizations that operate independently when trying a case, which is a traditional principle of all countries in the world and which has been a principle of our country's constitution ever since 1945. Renovating the party's leadership formulas with respect to the country will enable the judicial system to operate continuously, examine cases based on the jurisdiction of the trial and appeals courts, ensure social fairness, and manifest socialist justice.

Party leadership with respect to prosecution activities is decisive for ensuring that the prosecution lines and policies in each stage are in accord with the economic and social lines and policies. The party must work through the state mechanisms to appoint ranks of judges who have been systematically trained, who are experts in their profession, who can work in a continuous and stable manner, and who have the stature to serve as the representatives of state power in prosecuting crimes and handling disputes in society.

Several External Economic Issues

*933E0005D Hanoi TAP CHI CONG SAN
in Vietnamese No 10, Oct 92 pp 32-34*

[Article by Associate Professor Nguyen The Uan, M.A. in economics]

[Text] The Seventh CPV [Communist Party of Vietnam] congress clearly affirmed the important and essential position of the external sources of strength with respect to economic and social development in Vietnam both now and over the long term. Thus, one of the important tasks mentioned in the Strategy to Stabilize and Develop the Economy and Society to the Year 2000 is to "expand

economic relations with all countries, international organizations, and foreign corporations and individuals based on the principle of maintaining our independence and sovereignty and ensuring fairness and mutual profit." And, "manifesting a spirit of independence and self-reliance, not relying on the outside, and making full use of the country's favorable advantages and strengths are the basic conditions for effectively expanding the external economy and ensuring that the economy constantly grows in a positive manner." [Footnote 1] ["Strategy To Stabilize and Develop the Economy and Society to the Year 2000," Su That Publishing House, Hanoi, 1991, page 9]

In order to successfully complete the above tasks, we must understand the following issues:

First is the issue of independence and sovereignty in external economic affairs.

We all know that independence and sovereignty are the No. 1 concern of a nation. The realities of our people's long and difficult struggle to gain independence and sovereignty from the French colonialists, Japanese fascists, and American aggressors have clearly shown us the truth taught by President Ho: "There is nothing more precious than independence and freedom."

Independence and sovereignty can be said to be the ultimate target of every country. If a country loses its independence and sovereignty, no matter how big it is, it will become weak and helpless. Thus, the struggle to maintain the country's independence and sovereignty is a sacred struggle that has not only a political character but also very broad economic and social contents. This struggle also includes the organizations and individuals working in the external economic sphere. Those who say that businessmen engaged in foreign trade should focus exclusively on making a profit and that they do not need to pay attention to the nation's interests are wrong. Such views are wrong and shallow.

However, in the present international situation, the independence and sovereignty of a nation certainly does not mean that it must keep itself isolated by implementing a closed-door policy as was the case during the feudal period. With the rapid and broad growth of the process of world uniformity, the relationships between nations are becoming closer and closer and more and more varied. The independence and sovereignty of a nation are closely related to its international ties. It can be affirmed that in our age, no nation can successfully build the country economically, politically, and socially if it remains outside the international stream.

Of course, in the process of international ties, each nation is an independent factor. Between nations, there is a dialectical mutual dependence. This mutual dependence generates correlations that the various countries involved in this relationship can accept.

In short, today, the independence and sovereignty of a nation cannot be separated from or placed in opposition

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to the trend toward international association. Actively participating in the common tendency of the world and striving as much as possible in the present age are important conditions for preserving one's independence and sovereignty and successfully building the domestic economy.

Second is the issue of fairness and mutual profit in international exchange.

In general, all countries that participate in international relationships insist on fairness and mutual profit. However, what is the proper way to understand fairness and mutual profit in international trade? That is a very complex problem. But we must answer this question in order to avoid vagueness and illusions. In my view, in international trade, the issues of fairness and mutual profit are not empty slogans. Instead, they depend on very concrete conditions. Those are the independence, sovereignty, and economic potential of the country.

It can be affirmed that if a country is not independent and sovereign, there cannot be fairness and mutual profit in international relationships. However, even if a nation is independent and sovereign, if its economic potential is weak, implementing the principle of fairness and mutual profit can be carried out to only a limited degree.

Actually, in international economic relations, the law of competition will always manifest an integrated effect. The developed industrial countries (including the multi-national and international corporations) that have great economic potential are always in a position of control. The underdeveloped countries are usually in an inferior position. They are oppressed and suffer greater losses. Thus, fairness and mutual profit certainly doesn't mean that there are average total amounts but that things must depend on a correlation of forces among the parties participating in exchanges.

As for Vietnam, although we have achieved independence and sovereignty, because of our low level of economic development, it is difficult for us to implement the principle of fairness and mutual profit in an equal manner. For example, in trading with countries with greater economic potential, we have to accept many conditions favorable to the other party. Only in this way can we penetrate markets, expand external economic relationships, and strive for external sources of strength. Naturally, the above concessions have certain limits. First of all, those are the limits of independence and sovereignty. That is, we cannot allow another country to encroach on our territory or interfere in our internal affairs. Second, that refers to national interests on the economic front, meaning both our immediate and long-term economic interests and both relative and absolute interests, that can be gained through exchanges with other countries. With respect to the economically underdeveloped countries, relative and long-term interests usually have great meaning.

Third is the dialectical relationship between independence and international economic relationships.

Today, world science and technology have reached a very high level of development. They are having a profound and direct effect on production and markets and are involving all countries in economic relationships. It can be said that integration into the world economy has become a general tendency for the development of each nation. The economically underdeveloped countries cannot remain passive when the economies of the developed countries are expanding external economic relationships. Conversely, they must contend for outside sources of strength in order to quickly expand their domestic economic potential in order to integrate themselves with the world and quickly move the country forward. Many developing countries have achieved results on this front.

As for Vietnam, contending for external sources of strength in order to quickly expand our domestic economy is an issue of great importance. The party soon put forth an open-door policy. Based on that, an investment law was promulgated, and that created an opportunity to attract investments from abroad. However, we still have many objective and subjective difficulties that must be overcome if we are to successfully implement the open-door policy mentioned above.

Something that should be given proper attention is the role of imports, particularly the import of production services and the renovation of technology. In talking about the open-door policy, we must also talk about the import issue, because opening the door usually creates more advantages for imports than exports. There must be import targets in order to stimulate production in general and export production in particular. The state must give attention to regulating imports in terms of patterns, markets, and formulas for coordinating this with exports in order to maintain independence and sovereignty in external economic relationships.

Fourth is the issue of integration with the process of world economic coordination.

This is the general tendency of the age. The term "open door" does not say everything about the contents of "integration," because integration involves a process of adjustment, penetration, accommodation, and development among many entities having a common relationship. Integration is a broad concept with no clear division between politics, economics, and foreign affairs. To state this another way, this is a manifestation of the outward appearance of the relationship between independence and self-government and the international ties of a nation.

So that the integration process proceeds quickly and achieves results, broad adjustment between the domestic and the foreign is of decisive significance. This is the only way to obtain the knowledge necessary to be able to choose the best integration plan.

Regardless of the form of the international economic relationship, this must be implemented through exports and imports. In conditions in which exports are still

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limited, imports using foreign loans are particularly important. We should not mechanically use the principle of tying imports to exports but must actively use imports to stimulate exports. Naturally, regulating patterns and making effective use of the imported materials in the production process is of decisive importance.

Scientific and technical integration is an important factor for promoting the process of economic integration. Today, we have relatively strong ranks of scientists and skilled workers. If we can enable these ranks to quickly adjust to world standards, we will certainly create a strong source of intelligence for developing the country in all respects.

As we all know, the present scientific and technical revolution is growing like a typhoon. Renovation of the technical processes in production is taking place rather quickly. Unless we can adjust to the scientific and technical developments of the world, not only will we be left behind, but we will also be in danger of being eliminated, because invisible corrosion is increasing geometrically. Through scientific and technical integration, we can greatly shorten the time it will take us.

We must integrate rapidly with world markets using a variety of methods:

We must actively participate in bilateral and multi-lateral economic and trade treaties and agreements.

In the present international situation, we cannot push our way into a market without bilateral or multi-lateral ties. Thus, participating in international economic, financial, currency, and trade treaties and agreements is particularly important. Of course, before we begin participating, we must study things and make choices.

The state must implement a market strategy. In general, countries participating in international trade have suitable markets depending on the political, economic, and diplomatic conditions. As for Vietnam, it is essential for us to vary our economic relationships. But this does not mean that we can level things. We must have a suitable market arrangement depending on our political, economic, and diplomatic conditions. Only by determining new and suitable markets will we be able to create a basis for implementing the principle of maintaining independence, sovereignty, fairness, and mutual profit in international trade.

We must quickly participate on world service markets such as transportation, information, post and telegraph, and travel and in banking, financial, and other service activities in order to soon exploit the great capabilities of our country in accord with general world trends. Today, in many Asian countries services account for a very large percentage of the national income. In 1989, the figure was 67.8 percent for Singapore, 73.8 percent for Hong Kong, 52.4 percent for Taiwan, 46.2 percent for South Korea, 40 percent for the Philippines, and 39 percent for Indonesia.

Integrating with the various types of service markets will not only increase foreign currency revenues but also create the conditions for promoting the exchange of tangible commodities with other countries.

Fifth, the state must control all external economic activities.

External economic relationships are relationships between our country and other countries. They are relationships between two or more independent nations. Thus, only the state has the power to deal with those relationships. Naturally, the state must control those relationships using a synchronized system of policies, laws, and mechanisms. The foreign trade organizations have the right to carry on commercial activities independently, and they are responsible for their financial affairs. The state must strengthen control and deal with violations in an appropriate manner.

Strengthening the state's management role over external economic activities is particularly important. This is aimed at the following basic targets: First, to exploit the effects of external economic activities in balancing the national economic development processes; second, to regulate our international balance of payments, which includes foreign loans and services to repay the debts owed to other countries; and third, to coordinate the political, economic, and diplomatic factors in our relations with other countries and blocs of countries.

In summary, as external economic activities are expanded for many central and local economic organizations, the state must manage these activities in a more centralized and unified manner.

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*00000000 Hanoi TAP CHI CONG SAN in Vietnamese
No 10, Oct 92 pp 35-37*

[Article by Thien Nhan; not translated]

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*00000000 Hanoi TAP CHI CONG SAN in Vietnamese
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[Article by Xuan Cang; not translated]

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*00000000 Hanoi TAP CHI CONG SAN in Vietnamese
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